

Comptroller
1039 Alcott Hall

This bill is of interest to CIA. Committee reports are requested.

The present law provides for temporary employment of experts and consultants (not in excess of one year) and without regard to the civil service and classification laws.

HR 8209 eliminates these provisions but provides other employment requirements. Section (c) provides that amounts paid shall not exceed the amounts paid to Government employees to perform the same or similar work. Exceptions are required to be reported promptly to each House of Congress and payments for personal services are limited to \$100 per day.

The Office of Personnel is in a better position to comment on whether exceptions will be required and also as to the implications of security in making the reports to the Congress.

Our present authority to employ experts and consultants (P.L. 253, 80th Congress, Sec. 303a) will be repealed by Sec. 2 of HR 8209.

STATINTL

STATINTL

87TH CONGRESS
1ST SESSION

H. R. 8209

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 1961

Mr. DAWSON introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To amend section 15 of the Administrative Expenses Act of 1946, relating to contracts by the departments and establishments of the Government for the services of experts and consultants.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 15 of the Administrative Expenses Act of 1946
4 (60 Stat. 810; 5 U.S.C. 55a), is amended to read as follows:

5 “(a) The head of any department may procure the
6 services of experts or consultants or organizations thereof,
7 including stenographic reporting services, as independent
8 contractors.

9 “(b) No contract, except contracts for stenographic re-

I

1 porting services by organizations, shall be awarded under
2 the authority of this subsection until it shall have been deter-
3 mined in writing by the head of the department concerned,
4 with the concurrence of the Director of the Bureau of the
5 Budget in the case of management advisory, or management
6 research, contracts proposed to be awarded by departments
7 in the executive establishment, that—

8 “(1) the services are necessary;

9 “(2) the services cannot be performed by regular
10 employees of the department concerned or by available
11 employees of other departments;

12 “(3) the organization or individual contractor to
13 whom it is proposed to award the contract is qualified
14 to perform the services;

15 “(4) proposals were solicited from other qualified
16 organizations or individuals, to the extent practicable,
17 and the proposal to be accepted is the most advantageous
18 to the United States, price and other factors considered;
19 and

20 “(5) the proposed contract rates and maximum cost
21 are reasonable and comparable with those charged to
22 other departments and nongovernmental clients.

23 “(c) Amounts to be paid by the Government under
24 contracts subject to this section shall be calculated upon a
25 basis of payments to individuals not exceeding the amounts

1 authorized to be paid to Government employees to perform
2 the same or similar work: *Provided*, That the head of a de-
3 partment or agency may make provisions for exceptions to
4 this limitation upon a written finding that such an exception
5 is necessary to enable the Government to obtain the services
6 it requires. Such exceptions shall be made under rules pre-
7 scribed by the President, shall be reported promptly to each
8 House of Congress, and shall not authorize payment for per-
9 sonal services at a rate exceeding \$100 per day.

10 “(d) (1) To the extent practicable in the public in-
11 terest, the President shall coordinate the policies and proce-
12 dures of the respective departments in the executive branch
13 under this section.

14 “(2) The President for the executive branch, and the
15 head of the department concerned with respect to the ap-
16 propriate department outside the executive branch, shall
17 prescribe and issue, or provide for the formulation and issu-
18 ance of regulations to carry out the purposes and govern
19 the administration of this section: *Provided*, That authority
20 and functions placed in heads of Departments by this section
21 may be delegated only to officers appointed by the Presi-
22 dent by and with the consent of the Senate.”

23 SEC. 2. All other Acts, general or special, to the extent
24 that they are inconsistent or in conflict with this Act are
25 hereby repealed upon the effective date of this Act.

1 SEC. 3. This Act shall become effective ninety days fol-
2 lowing the enactment hereof.

87TH CONGRESS
1ST SESSION

H. R. 8209

A BILL

To amend section 15 of the Administrative Expenses Act of 1946, relating to contracts by the departments and establishments of the Government for the services of experts and consultants.

By Mr. DAWSON

July 18, 1961

Referred to the Committee on Government Operations

1961 AUG 1 11 30 AM
COMPTROLLER